

IN RE: PETITION FOR SPECIAL HEARING
W/S Ridge Road, 130' NE of
Franklin Square Drive
(Ridge Road Medical Office Bldg.)
14th Election District
6th Councilmanic District
Youssef A. Youssef, M.D.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-320-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing in which the Petitioner requests an extension of the time period for utilization of the special exception previously granted in Case No. 90-328-SPHXA on April 16, 1990 from two to five years, in accordance with Petitioner's Exhibit 1.

The Petitioner, Youssef A. Youssef, M.D., was represented by Howard L. Alderman, Jr., Esquire and Gordon D. Fronk, Esquire. There were no Protestants.

Testimony indicated that the subject property consists of 3.29 acres more or less, zoned R.O., and is the site of the Ridge Road Medical Office Building. Said property was the subject of previous Case No. 90-328-SPHXA in which a special hearing, special exception and variances were granted on April 16, 1990 for a proposed Class B office building on Lots A, B and C of this site. The Petitioner now requests, pursuant to Section 502.3 of the Baltimore Zoning Regulations (B.C.Z.R.), an extension of the time frame in which to utilize the special exception granted in the prior case due to economic and financial hardships that have delayed construction of this project. Testimony indicated that the Petitioner has been diligently pursuing this matter but has had difficulty leasing the required 60% of office space in order to obtain financing. Petitioner testified

that he has paid for sewer extension to the site and has solicited bids from contractors. Testimony indicated that within the five year period requested, construction of this project will have commenced.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of April, 1992 that an extension of the time frame for utilization of the special exception granted in previous Case No. 90-328-SPHXA from two to five years, in accordance with Petitioner's Exhibit 1, be and is hereby approved, and as such, the Petition for Special Hearing is hereby GRANTED; and,

IT IS FURTHER ORDERED that the five year extension for utilization of said special exception shall expire on April 15, 1995; and,

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued April 16, 1990, except as modified herein, shall remain in full force and effect.

ORDER RECEIVED FOR FILING

Date 4/16/92
By [Signature]

TMK:bjs

[Signature]
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

- 2 -

Baltimore County Commission
Zoning Commission
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

April 7, 1992

(410) 887-4386

Howard L. Alderman, Jr., Esquire
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
W/S Ridge Road, 130' NE of the c/l of Franklin Square Drive
(Ridge Road Medical Office Building)
14th Election District - 6th Councilmanic District
Youssef A. Youssef, M.D. - Petitioner
Case No. 92-320-SPH

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

[Signature]
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Gordon D. Fronk, Esquire
2324 W. Joppa Road, Suite 120, Lutherville, Md. 21093

People's Counsel

[Signature]
File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County 92-320-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an extension of the time period for utilization of the Special Exception granted previously in Case No. 90-328-SPHXA from two to five years.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessor:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Howard L. Alderman, Jr.

Address

City and State

Phone No.

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Attorney's Telephone No.

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City and State

Phone No.

Baltimore, MD 21237

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Attorney's Telephone No.



OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING - 1/2HR. - 1HR. - 1 1/2HR. - 2HR. - 3HR. - 4HR. - 5HR. - 6HR. - 7HR. - 8HR. - 9HR. - 10HR. - 11HR. - 12HR. - 13HR. - 14HR. - 15HR. - 16HR. - 17HR. - 18HR. - 19HR. - 20HR. - 21HR. - 22HR. - 23HR. - 24HR. - 25HR. - 26HR. - 27HR. - 28HR. - 29HR. - 30HR. - 31HR. - 32HR. - 33HR. - 34HR. - 35HR. - 36HR. - 37HR. - 38HR. - 39HR. - 40HR. - 41HR. - 42HR. - 43HR. - 44HR. - 45HR. - 46HR. - 47HR. - 48HR. - 49HR. - 50HR. - 51HR. - 52HR. - 53HR. - 54HR. - 55HR. - 56HR. - 57HR. - 58HR. - 59HR. - 60HR. - 61HR. - 62HR. - 63HR. - 64HR. - 65HR. - 66HR. - 67HR. - 68HR. - 69HR. - 70HR. - 71HR. - 72HR. - 73HR. - 74HR. - 75HR. - 76HR. - 77HR. - 78HR. - 79HR. - 80HR. - 81HR. - 82HR. - 83HR. - 84HR. - 85HR. - 86HR. - 87HR. - 88HR. - 89HR. - 90HR. - 91HR. - 92HR. - 93HR. - 94HR. - 95HR. - 96HR. - 97HR. - 98HR. - 99HR. - 100HR. - 101HR. - 102HR. - 103HR. - 104HR. - 105HR. - 106HR. - 107HR. - 108HR. - 109HR. - 110HR. - 111HR. - 112HR. - 113HR. - 114HR. - 115HR. - 116HR. - 117HR. - 118HR. - 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Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 3/17/92

Youssef A. Youssef, M.D.
17 Fontana Lane
Baltimore, Maryland 21237

RE:
CASE NUMBER: 92-320-A
4/5 Ridge Road, 130' NE of Franklin Square Drive
Ridge Road Medical Office Building
14th Election District - 6th Councilmanic
Petitioner(s): Youssef A. Youssef, M.D.

Dear Petitioner(s):

Please be advised that \$166.01 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

cc: Howard L. Alderman, Jr.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

MARCH 6, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-320-A
W/S Ridge Road, 130' NE of Franklin Square Drive
Ridge Road Medical Office Building
14th Election District - 6th Councilmanic
Petitioner(s): Youssef A. Youssef, M.D.
HEARING: THURSDAY, APRIL 2, 1992 at 9:00 a.m.

Special Hearing to approve an extension of the time period for utilization of the of the Special Exception granted previously in Case #90-328-SPHA from two to five years.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County

cc: Youssef A. Youssef, M.D.
Howard L. Alderman, Jr.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

March 27, 1992

(410) 887-3353

Howard L. Alderman, Esquire
Levin & Gann, P.A.
305 W. Chesapeake Avenue
Suite 113
Towson, MD 21204

RE: Item No. 336, Case No. 92-320-SPH
Petitioner: Youssef A. Youssef
Petition for Special Hearing

Dear Mr. Alderman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 24th day of February, 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:
W. Carl Richard, Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Youssef A. Youssef
Petitioner's Attorney: Howard L. Alderman

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration
and Development Management

FROM: Gary Kerns, Chief
Community and Comprehensive Planning Division
Office of Planning and Zoning

SUBJECT: Youssef A. Youssef, MD, Item No. 336

DATE: March 12, 1992

In reference to the applicant's request, staff offers the following comments:

This is an appropriate location for medical offices. The site has good, indirect access to a minor arterial road (Rossville Boulevard) and it is located near Franklin Square Hospital (opposite side of Rossville Boulevard). Furthermore, the proposed development will not impact any existing residential communities.

This property is Issue 6-079 in the 1992 Comprehensive Zoning Map Process. The property owner is requesting rezoning from R-O to O-1. The preliminary recommendation of the OPZ is to grant the requested zoning change.

The existing structures on the site are abandoned and unattractive. Therefore, redevelopment of this site should be encouraged.

Since special exceptions typically have a life of three years, the requested extension from two to five years appears to be inappropriate.

In view of the above comments, this office does not have any objections to granting an extension from two to three years.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

Report prepared by:
Dennis Wertz
Dennis Wertz

GK:DW:prh
ITEM336.ZAC/ZAC1

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

MARCH 3, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: YOUSSEF A. YOUSSEF, M.D.
Location: RIDGE ROAD MEDICAL OFFICE BUILDING
Item No.: 336 Zoning Agenda: MARCH 10, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Jeffrey Long* Noted and
Planning Group Approved
Special Inspection Division Fire Prevention Bureau

JP/KEK

BALTIMORE COUNTY
ECONOMIC DEVELOPMENT COMMISSION

Memorandum

TO: Julie Winiarski
Office of Zoning Administration
and Development Management

FROM: A. J. Haley, Deputy Director
Economic Development Commission

DATE: March 4, 1992

RE: Zoning Advisory Comments for Meeting of March 10, 1992

This office has no comment for items 336, 337, 340, 341, 342, 344, 345 and 346.

c: Ken Nohe

RECEIVED
MAR 5 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for March 10, 1992

DATE: March 13, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 337, 340, 341, 342, 344, 345 and 346.

For Item 336, the previous County Review Group Comments still apply.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

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MAR 17 1992
ZONING OFFICE



April 13, 1992

**Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
County Office Building
Towson, Maryland 21204
Attn: Ms. Julie Winiarski**

**RE: Baltimore County
Zoning meeting of
March 10, 1992
Item #336
Ridge Road Medical
Office Building**

Dear Mr. Jablon:

Our Office of Planning and Preliminary Engineering has reviewed the plat concerning the above referenced property. The addition of 2,475 average daily trips to the Rossville Boulevard intersection with MD 7 and US 40 could have a major impact on the level-of-service at that intersection. Should this proposed development proceed through the County's review process, we will request a traffic analysis to determine the impacts to our State highway system.

If you have any questions concerning this information, please contact Peggy Blank at 333-1350.

Very truly yours,

**John Contestabile, Chief
Engineering Access Permits
Division**

PB/es

cc: *Mr. Robert Covahey*
Mr. Steve McHenry
Mr. Darrell Wiles
Mr. Michael Zezeski

RECEIVED
JUN 15 1992

ZONING OFFICE

My telephone number is 301-333-1350 (Fax# 333-1041)

Teletypewriter for Impaired Hearing or Speech
 Imore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide 1-800-492-5062
 707 North Calvert St., Baltimore, Maryland 21203-0717

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: April 8, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: March 10, 1992

This office has no comments for item numbers 336, 337, 340, 342, 344, 345 and 346.

Raher J. Family
Raher J. Family
Traffic Engineer II

RJF/lvd

RECEIVED
ZONING OFFICE

Petitioners
 [REDACTED] (S) SIGN-IN SHEET

NAME _____

ADDRESS

Gordon D. Front

Switz 120.2324 W. Joppa Rd 21093

92-320-SPH

